

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ALLISON J. SCHNEIDER,

Plaintiff,

vs.

CENERGISTIC LLC,

Defendant.

4:19-CV-3090

ORDER

The plaintiff's counsel in this case has moved to withdraw, having been informed by the plaintiff that she intends to proceed *pro se*. [Filing 4](#). Of course, she has that right—so, the motion will be granted. But the plaintiff is *already* proceeding *pro se*, in a case filed the same day as this one: case no. 4:19-cv-3088. And even a cursory examination of the pleadings in these cases reveals that the plaintiff's *pro se* complaint is essentially identical.

As a general policy, duplicative litigation in federal courts should be avoided. [Missouri ex rel. Nixon v. Prudential Health Care Plan, Inc., 259 F.3d 949, 953 \(8th Cir. 2001\)](#) (citing [Colorado River Water Conservation Dist. v. United States, 424 U.S. 800, 817 \(1976\)](#)). Plaintiffs may not pursue multiple federal suits against the same party involving the same controversy at the same time. *Id.* at 954. And federal courts may decline to exercise their jurisdiction in order to prevent duplicative litigation. *Id.* at 952. Specifically, "a district court may, for reasons of wise judicial administration, dismiss one of two identical, pending actions." *Id.* at 953 (quotation omitted); see [Parker v. Matthews, 71 F. App'x 613, 614 \(8th Cir. 2003\)](#). A plaintiff has no right to maintain two separate actions involving the same subject matter at the same time in the same court and against the same defendant. *See id.*

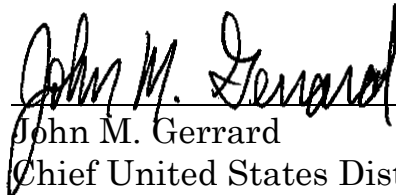
These cases are identical. Accordingly, because the plaintiff intends to proceed *pro se*, the Court will dismiss this case in favor of the earlier case that she filed herself. The plaintiff may pursue her claims in case no. 4:19-cv-3088.

IT IS ORDERED:

1. The unopposed motion to withdraw as attorney ([filing 4](#)) is granted.
2. This case is dismissed, without prejudice, as duplicative.
3. A separate judgment will be entered.

Dated this 13th day of September, 2019.

BY THE COURT:

  
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John M. Gerrard  
Chief United States District Judge